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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: §
Thomas W. Lanzatella, Graham Bromley, §
John A. Colgrove, Ron Karr, §
Blaine T. Cuykendall, Oleg Kislev, §
Craig Harmer §

Group Art Unit: 2188

Examiner: Ross, John M

Attorney Docket.: 5760-17800

Serial No.: 10/087,901

Filed: February 28, 2002

For: System and Method for
Controlling the Creation of
Stable Disk Images

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, Box Non-Fee Amendment, P.O. Box 1450, Alexandria, VA 22313-1450, on the date indicated below:

B. Noël Kivlin
Registered Representative
2-28-05
Date Signature

NOTICE OF APPEAL

Commissioner for Patents
M/S AF
P.O. Box 1450
Alexandria, VA 22313-1450

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the final Office Action dated December 30, 2004.

A Fee Authorization form in the amount of \$500.00 is enclosed to cover the fee for filing this Notice of Appeal pursuant to 37 C.F.R. §1.17(b) (large entity). The Commissioner is also authorized to charge any extension fee or other fees which may be necessary to the same account number. **Two duplicate copies of this sheet are enclosed.**

Respectfully submitted,

B. Noël Kivlin
Reg. No. 33,929
ATTORNEY FOR APPLICANT(S)

Meyertons, Hood, Kivlin, Kowert and Goetzel, P.C.
P.O. Box 398
Austin, Texas 78767-0398
Phone: (512) 476-1400
Date: 2-28-05

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FEE AUTHORIZATION

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The Commissioner is hereby authorized to charge the following fee to Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C. Deposit Account Number 50-1505/5760-17800:

Fee: Notice of Appeal
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